SHIMP ENGINEERING, P.C.
Design Focused Engineering

Project Narrative For: **Special Exception for Living Earth School**

Parcel Description: **Tax Map 101, Parcels 19, 20, 20C**

Pre-App Meeting Date: **07/22/2024**

First Submission Date: **08/19/2024**
Revision Date: **11/18/2024**

	ACREAGE	EXISTING ZONING	PROPOSED ZONING	COMP PLAN DESIGNATION
TMP 101-20C	3.45	Rural Areas	SP – Boarding Camp	Rural Areas
TMP 101-20	100.68			
TMP 101-19	183.00			
TOTAL	287.13			

Total Acres of Steep Slopes on Property	Acres of Steep Slopes Proposed to be Disturbed
31.16	**0.061** (2,674 SF)

Additional Zoning Considerations:

Floodplain, Steep Slopes

Location:

The property is located on Red Hill Road approximately .85 miles southeast of its intersection with Old Lynchburg Road. The property is bisected by White Oak Creek and its southern borders are the Hardware River and Walnut Creek Park.

Project Proposal:

Living Earth School (the "applicant") seeks to establish an educational camp facility on tax parcels 101-20C, 101-20, and 101-19 in Albemarle County (collectively, the "property"). The property is zoned Rural Areas (RA) and the applicant has requested a special use permit for a boarding camp to establish their educational facility on the property. In order to meet current standards for VDOT commercial entrance design, it will be necessary to update the current gravel entrance with a commercial entrance designed to VDOT standards. To realize the construction of a commercial entrance and provide adequate sight distance from the entrance, critical slopes in this area are proposed to be disturbed. According to the County GIS, approximately 2,674 SF of critical slopes are located adjacent to Red Hill Road along the property boundaries of TMP 101-20 and TMP 101-20C. The critical slopes in this area appear to be a result of construction of Red Hill Rd and are a cut slope road bank adjacent to Red Hill Road. To grade this roadway, soil was moved to either side, creating banks adjacent to the road containing slopes of 25% or more.

In accordance with Sec 4.2.5(a.)(1.) the waiver request must address the following (the public, health, safety, and welfare factors):

Rapid and/or Large-Scale movement of soil and rock

The proposed slopes disturbance involves cutting into existing soils. Any effect on movement of soil and rock will be minimal as the slopes proposed to be disturbed receive a very small drainage area. All grading and soil stabilization will be completed in accordance with local and state erosion and sediment control and stormwater management regulations. The new cut slopes surrounding the improved entranceway will be stabilized securely.

Excessive stormwater run-off

Potential excessive stormwater run-off would be addressed through the construction of the proposed addition that would be subject to VESMP regulations. During construction, the appropriate temporary measures will be constructed to capture stormwater run-off. Following the completion of construction, other stormwater management infrastructure would direct water to the appropriate locations and the applicable VESMP requirements would apply in such stormwater treatment. Adherence to County regulations will effectively manage stormwater run-off and prevent excessive erosion.

Siltation of natural and man-made bodies of water, loss of aesthetic resources

Adherence to state VESMP regulations, the County's Water Protection Ordinance, and proper erosion and sediment control measures on-site will prevent run-off of silt away from the project limits. Following the descriptions of the proposed disturbance above, the development of the addition would not create excess run-off towards White Oak Creek, North Fork Hardware River, or South Fork Hardware River. Moreover, the surrounding property areas are thickly vegetated, and such vegetation is to remain in order to maintain the historic and rural character of the site. If silt were to bypass the required erosion and sediment control measures, the surrounding wooded areas would slow down and capture this run-off before reaching the natural waterbodies, preventing waterbody siltation. As the critical slopes to be disturbed are likely a result of previous grading for the roadway, they do not provide an aesthetic resource in this area.

In the event of septic systems failure: a greater travel distance of septic effluent

Not applicable, as septic systems are not proposed within close proximity to the critical slopes disturbance.

In accordance with Sec. 4.2.5.3, please consider the following findings:

a. Strict application of the requirements of section 4.2 would not forward the purposes of this chapter or otherwise serve the public health, safety or welfare;

   Allowing for the disturbance of approximately 2,674 SF (per County GIS) of critical slopes disturbance would not be detrimental to public health, safety, or welfare. The area of proposed slopes disturbance is isolated and not part of a larger critical slopes network, as these steep slopes are a result of construction grading and are man-made. Prior to the proposed disturbance of critical slopes, a site plan and VSMP plan will be reviewed by County staff to ensure sound engineering and required stormwater management is incorporated. Allowing for the disturbance of approximately 2,674 SF (per County GIS) of critical slopes disturbance would allow for increased site distance to serve Living Earth School and support expansion of their nature-based education programs which emphasize environmental stewardship and minimizing ecological impact.

b. Alternatives proposed by the developer or subdivider would satisfy the intent and purposes of section 4.2 to at least an equivalent degree;

   There are no proposed alternatives proposed with this request; the construction of the entranceway in this area is necessary to support safe egress from the site and disturbance of these slopes would improve safety operations for any user of the site.

c. Due to the property's unusual size, topography, shape, location or other unusual conditions, excluding the proprietary interest of the developer or subdivider, prohibiting the disturbance of critical slopes would effectively prohibit or unreasonably restrict the use of the property or would result in significant degradation of the property or adjacent properties; or

   This entranceway would be necessary for any new development on this property warranting an upgrade to the existing entrance and will support a safer point of egress for all users of this property. Disturbance of these slopes will improve safety at the property's entrance; regardless of the user of the property, single family homes, agricultural, or a boarding camp, disturbance of these slopes will increase visibility for vehicles exiting the site.

d. Granting the modification or waiver would serve a public purpose of greater import than would be served by strict application of the regulations sought to be modified or waived

   Living Earth Sanctuary will provide significant public benefit to the surrounding area. A main goal of the organization is to help people of all ages nurture healthy relationships with nature, self, and community. The school offers practical skills such as shelter building, toolmaking, plant/animal identification, and community building opportunities. These skills and practices are much needed in the context of increasing digital technology, screen use, and mental health challenges for people of all ages. There will be numerous opportunities for community members to attend this site as mentors, students, or part of special events. The slopes requested to be disturbed appear to be manmade and do not serve an environmental or significant aesthetic purpose. Disturbance of this slope will increase safety for all users of this property and for those already traveling along Red Hill Road as increasing sight distance for those exiting the property will reduce the potential for angle collisions for vehicles exiting the site with vehicles traveling west on Red Hill Road.

   In conclusion, the slopes are likely the result of prior grading activity and disturbing the slopes would greatly improve safety for any user of the property; disturbance of these slopes would serve a greater public purpose than preservation of these slopes.

Attachments:

Living Earth School Critical Slopes Disturbance Exhibit



CONTEXT OF ENTRANCE WITHIN SITE

TMP 101-20B

PROPOSED NEW ENTRANCE

EXISTING GRAVEL ENTRANCE

TMP 101-20C

TMP 101-20

TMP 101-58C

518' INTERSECTION SIGHT DISTANCE LINE - 45 MPH (SPEED STUDY)

APPROXIMATE AREA OF CRITICAL SLOPE DISTURBANCE: 2,674 SF

RED HILL ROAD

VA-S SPC

30 0 30 60 90

Scale: 1"=30'

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Living Earth School
Critical Slopes Exhibit